THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.26338 of 2005

Dated 09-12-2005

Between:

Toddy Tappers Co-operative Society Bomraspet.

.. **PETITIONER**

AND

The Proh. & Excise Inspector, Excise Station, Kodangal and another.

.. **RESPONDENTS**

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ORDER:

The licence of the petitioner in respect of a Toddy Shop was suspended vide proceedings, dated 15-11-2005 on the ground that the sample drawn on 08-09-2005 from the shop of the petitioner was found to have been adulterated with the Chloral Hydrate. The petitioner challenges the same on several grounds. The petitioner states that the samples were not drawn from the shop of the petitioner at all and that even before a report is received from the Chemical Examiner, the licence is cancelled depriving the livelihood to the members of Society.

Heard the learned counsel for the petitioner and the learned Government Pleader for Excise.

The licence of the petitioner was suspended on the ground that the sample drawn from the shop was found to have been adulterated. The truth or otherwise of the allegation in this regard would emerge only after completion of enquiry. At the request of the petitioner, the respondents have already sent the second sample to Chemical Examiner through Court. The report of the Chemical Examiner would have its own bearing on the out-come of the enquiry. This court is not inclined to interfere with the order of suspension at this stage.

The writ petition is disposed of directing the respondents to conclude the proceedings initiated against the petitioner within a period of two months from the

date of receipt of a copy of this order. No order as to costs.

09-12-2005

Prv